

CONFIDENTIAL

29 MAR 1983

MEMORANDUM FOR: Acting Director of Central Intelligence

VIA: Executive Director
Associate General Counsel for
Administrative Law Division

FROM: Harry E. Fitzwater
Deputy Director for Administration

SUBJECT: National Security Decision Directive No. 84 -
Existing Policies and Implementation -
Central Intelligence Agency

25X1

1. The regulatory issuances of the Central Intelligence Agency have been reviewed to determine their applicability to the implementation of National Security Decision Directive No. 84 - Safeguarding National Security Information, dated 11 March 1983. The regulations cited below are applicable, and appear to place the Agency in compliance with NSDD No. 84:

° NSDD-84, paragraph 1.a., requires that "All persons with authorized access to classified information shall be required to sign a non-disclosure agreement as a condition of access."

25X1

Headquarters Regulation Secrecy Agreements, sets forth policy, responsibilities and procedures governing the execution of secrecy agreements by Agency personnel and associates. Agency secrecy agreements are drafted, reviewed and approved by the Agency's Office of General Counsel, in coordination with the Director of Security, or when cryptographic clearances are involved, with the Director of Communications. With the few exceptions noted in paragraph b of a secrecy agreement must be executed by all persons who "require access to classified or classifiable information or material; may be exposed to classified or classifiable information or material by virtue of un-escorted access to Agency facilities."

25X1

25X1

25X1

25X1

CONFIDENTIAL

OS 3 0589/4

° NSDD No. 84, paragraph 1.b., requires that "All persons with authorized access to Sensitive Compartmented Information (SCI) shall be required to sign a nondisclosure agreement as a condition of access to SCI and other classified information."

[]

25X1

Agency policy with respect to SCI nondisclosure agreements is governed by Director of Central Intelligence "Security Policy Manual for SCI Control Systems," published by the DCI Security Committee on 28 June 1982. In accordance with that manual, the CIA requires that its employees and associates with authorized access sign a Form 4193, "Sensitive Compartmented Information Nondisclosure Agreement." The agreement contains a prepublication review provision. []

25X1

° NSDD No. 84, paragraph 1.c., requires that "All agreements required . . . must be in a form determined by the Department of Justice to be enforceable in a civil action brought by the United States." The same paragraph directs that the Director, Information Security Oversight Office (ISOO), "shall develop standardized forms that satisfy these requirements." []

25X1

The enforceability of Agency secrecy agreements for collateral classified materials has been demonstrated in the Frank Snepp case. []

25X1

The Form 4193, SCI Nondisclosure Agreement, was fully coordinated between CIA and the Department of Justice while under development. It is believed to be enforceable in a civil action brought by the United States. []

25X1

The matter of standardizing the Form 4193 for use by all U. S. Government agencies is currently under review by the ISOO. []

25X1

Current CIA-unique secrecy agreements do, either specifically or by reference, contain the provisions required by NSDD No. 84. We are prepared to cooperate with the ISOO in its efforts to develop standardized forms. []

25X1

° NSDD No. 84, paragraph 1.d., requires that "Appropriate policies shall be adopted to govern contacts between media representatives and Agency

Page Denied

Next 2 Page(s) In Document Denied